

CIRCULAR LETTER NO. 9

April 27, 2004

TO ALL LOCAL CHAIRPERSONS:

Dear Sirs and Brothers:

As an on-going process - in the General Chairman's office, we send out Circular Letters as circumstances dictate in regard to issues that are of importance to all of our Membership. We are requesting that you read these documents at your Union Meetings for the Membership's benefit and also place them on bulletin boards for those Members who cannot attend the Union Meeting. Incorporated below are issues of importance for our Membership.

Heath Care Cost Sharing - Ebb/Flow Train and Engine Service

Attached hereto for your perusal and file is an April 7, 2004 letter from the International President Paul Thompson. Attached to the April 7, 2004 letter, are two (2) March 16, 2004 Letters of Understanding with examples, pertaining to the ebb/flow between train service and engine service positions as it relates to the respective UTU and BLET National Agreement Health Care Plans.

Also attached hereto is a second April 7, 2004 letter from International President Paul Thompson, which pertains to work-related injuries for those individuals who have "opted out" of the National Health Care Plans, and are covered under their spouse's health care plan. In most situations, the spouse's plan will not provide coverage for an injury if it is work-related. The health care costs for the injury will be covered under the National Plans in those situations where the Carrier verifies the injury is work-related, and coverage was denied by the spouse's plan for that reason.

In situations where the employee states the injury is work-related, but it is not verified by the Carrier, and the spouse's plan will not cover the work-related injury, the employee may have to seek payment of his/her medical costs from the Carrier as part of a settlement or court-ordered action (FELA). "Opting out" of the UTU National Plans, may put an employee, who has a work-related injury, in a precarious position with respect to having his/her medical costs for that injury paid in a timely manner.

Please familiarize yourselves with this important information so that it can be conveyed to our membership.

 **General Chairman Babler Elevated to International Vice President.**

Effective June 1, 2004, General Chairman John Babler will be elevated to the position of International Vice President. See the attached April 12, 2004 letter, from International President Paul C. Thompson.

Vice General Chairman Mike Reedy will assume the position of Acting General Chairman on June 1, 2004. Pursuant to the UTU Constitution, an election will be held for the position of General Chairman. We will advise each of you when the election(s) will occur, once the plans are finalized.

 **Designated Legal Counsel List.**

Attached hereto is an April 15, 2004 letter, from International President Paul Thompson, pertaining to the UTU Designated Legal Counsel Program. Attached to Brother Thompson's April 15, 2004 letter is an April 13, 2004 letter from Joshua Javits - Chairman of the UTU Board of Ethics and Qualifications, wherein he includes a list of nineteen (19) attorneys, who remain as members of the UTU Designated Legal Counsel Program.

Pursuant to President Thompson's April 15, 2004 letter, the nineteen (19) remaining designated legal counsel attorneys **"are entitled to membership, attendance at Local, General Committee and State Legislative Board meetings. . . ."**

Trusting this information will aid you in keeping our Membership informed of issues confronting us. With best personal wishes, I remain

Fraternal ly yours,

**John W. Babler
General Chairman, G. C. A.**

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Attachments

cc: Paul Thompson, International President - UTU
Rick Marceau, Assistant President - UTU
Dan Johnson, III - General Secretary/Treasurer - UTU